

REMARKS

Claims 1, 6-9, 11, 12, 15-17, and 20-32 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 6-9, 11, 12, 15-17, 20, 21, 26, 27, 31 and 32 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kubale et al. (U.S. Pat. No. 6,525,511). This rejection is respectfully traversed.

Kubale et al. claims priority from provisional application 60/224,662 filed on August 11, 2000. The present application is a continuation of United States Patent Application Serial No. 10/095,289, filed on March 8, 2002, which claims priority from United States Provisional Patent Application Serial No. 60/274,409 filed March 9, 2001. Applicants have at least conceived and/or reduced to practice the invention in the United States prior to August 11, 2000. Declarations under 37 CFR §1.131 signed by all the inventors is attached. Redacted photocopies of invention disclosures demonstrating conception and reduction to practice in the United States prior to August 11, 2000 are attached as Exhibit A. These disclosures include photographs of a prototype that worked for its intended purpose. Each of the dates deleted or otherwise blacked out from Exhibit A are prior to August 11, 2000. The invention has never been abandoned, suppressed or concealed. Therefore, Kubale et al. is not a prior art reference under §102(e). Reconsideration and withdrawal of these rejections is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 22-25 and 28-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kubale et al. (U.S. Pat. No. 6,525,511). This rejection is respectfully traversed.


Applicants respectfully submit that Kubale et al. is not a prior art reference for the reasons discussed above and in view of the attached Declaration under 37 CFR §1.131.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: 
Maria Comninou
Reg. No. 44,626

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600
STO/MAC/mb